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December 9, 2005

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VIA FACSIMILE AND REGULAR MAIL

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Edmond R. Joyal, Jr., Esquire
Law Office of Joseph S. Weimer
975 Two Chatham Center
Pittsburgh, Pennsylvania 15219

Re: Abby Conley v. County of Erie, et al.

Dear Attorney Joyal:

I am in receipt of your letter of December 8, 2005 regarding Plaintiff's request for documents in this matter. After our discussion last week, I had an opportunity to review my file relative to the administrative proceedings for Ms. Conley. During our discussion, I also reminded you of references to other documents that you made during the Case Management Conference. I have since had an opportunity to review the transcript from that conference as well.

After reviewing the materials from the administrative litigation, I recalled that Erie County's counsel, Roger Taft, requested a return of a substantial number of the County's proposed exhibits. At the conclusion of those proceedings, therefore, I returned the documents to Attorney Taft.

Further, after reviewing the transcript of the Case Management Conference in conjunction with the responses filed by County in the administrative proceedings, it is apparent that you referenced additional documents which were not previously mentioned by the County in the administrative proceedings. Several of your references would include e-mails circulated to individuals within the agency regarding supervisory personnel knowing that confidential information had been disseminated, e-mails regarding the death of a child, e-mails about a foster family, e-mails to or from Mr. Patella, "strings of e-mails" regarding contacts with foster children and findings of a report conducted by the Department of Welfare.

As you can see, I have no way to determine specifically which documents the County is intending to rely upon in the defense of this claim particularly since I complied with the County's request in the administrative proceedings to return copies of its proposed exhibits. With this in mind, we would appreciate a complete response to our discovery requests.

